

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ISSAC S. HINERMAN,

Plaintiff

v.

ROBERT KARNES, *et al.*,

Defendants

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CIVIL NO. 1:14-CV-0408

(Judge Rambo)

(Magistrate Judge Mehalchick)

ORDER

Before the court is a December 23, 2014, report and recommendation of the magistrate judge (Doc. 30) to whom this matter was referred in which she recommends that Defendants' motion to dismiss be granted without prejudice to Plaintiff to amend the complaint to state a cause of action. Plaintiff Hinerman has not filed objections to the report and recommendation or did he respond to the motion to dismiss.

Upon review of the report and recommendation and the applicable law, the court finds that the law cited and applied by the magistrate judge to the facts of this case supports the finding that Hinerman has failed to state a cause of action against Defendants Karnes, Hauck, and Dr. Yocum. **IT IS THEREFORE**

ORDERED THAT:

- 1) The court adopts the report and recommendation of Magistrate Judge Mehalchick (Doc. 30).
- 2) Defendants' motion to dismiss (Doc. 14) is **GRANTED**.
- 3) Plaintiff is granted leave to file an amended complaint no later than February 11, 2015.

4) This matter is remanded to Magistrate Judge Mehalchick for further proceedings.

s/Sylvia H. Rambo
United States District Judge

Dated: January 21, 2015.